

The Royal Proclamation of 1763 is 250 years old on October 7

Some Background:

The Royal Proclamation of 1763 was issued by King George III to establish a basis of government administration in the North American territories ceded by France to Britain following the Seven Years War. This legal touchstone has played a major role in shaping the political landscape of North America, and continues to serve as a foundational document for historic and modern treaties, unresolved land claims and self government negotiations.

A Few Facts:

Here's why this document matters to all Canadians and Americans, right now:

1. **It established the legal basis for the negotiation of Aboriginal treaties.** After 250 years, it remains the go-to document for identifying the rules governing land title negotiations between Aboriginal people and the Government of Canada. Some call it "The Indian Magna Carta."
2. **It commits to a partnership with Aboriginal peoples:** The British government made this commitment to Aboriginal people because they respected their fighting power and needed their support. (Some had fought for the French in the Seven Year's War, and Chief Pontiac had just seized several British military posts.) Today, the need to work together is greater than ever, as Canada and the United States seek to develop natural resources on Aboriginal land, and growing First Nations, Inuit and Metis communities strive to bring prosperity and self-reliance to their people.
3. **It establishes Aboriginal title:** The Royal Proclamation states that large parts of Canada and the United States belong to Aboriginal people, and no one has the right to disturb them on their land.
4. **It sets out the process for negotiating transactions of Aboriginal Land:** Land was to be acquired by fair dealing only, through treaty or purchase by the Crown. The modern treaty negotiation process used today across Canada is based on conditions outlined in the Royal Proclamation.
5. **It describes a unique legal status for Aboriginal peoples:** By issuing this proclamation, King George III effectively created a distinct category for Aboriginal people, separate from regular subjects of the Crown. This status still exists for Aboriginal

people across Canada, as they negotiate nation-to-nation treaty agreements with the Government of Canada.

6. **It clearly states that Aboriginal title to land is a federal matter:** The Royal Proclamation says that only the federal Crown has the right to deal with Aboriginal people regarding land title. That means no municipality, province or territory has the right to negotiate with Aboriginal people for land.
7. **It recognizes Quebec as distinct from the rest of Canada:** The area of land described in the Royal Proclamation excludes the Province of Quebec. This has implications for Quebec's ongoing efforts to assert itself as a distinct society.
8. **In terms of rights and freedoms, it outranks the Charter:** Canada's 1982 Constitution Act, which includes our Charter of Rights and Freedoms (the document that outlines the right to equality, the right to a democratic government, and other rights), clearly states that even it does not diminish the rights and freedoms outlined in the Royal Proclamation.
9. **It set aside a large chunk of Canada and the United States for the exclusive use of Aboriginal people.** Settlers and fur traders were not allowed to enter Aboriginal lands without government authorization. This vast area was reserved for the exclusive use of Aboriginal people.
10. **It acknowledged that Aboriginal people had been treated unfairly, and pledged to make things right:** It says that "great frauds and abuses have been committed in purchasing lands of the Indians" and pledges to "remove all reasonable causes of discontent." The 250th anniversary of the Royal Proclamation is an opportunity to renew that pledge.

The Royal Proclamation speaks to the ongoing need for cooperation and common purpose between Aboriginal people and the governments of Canada and the United States, to ensure prosperity for all.

The Land Claims Agreements Coalition is hosting a symposium on the Royal Proclamation on Oct 7, 2013 at the Canadian Museum of Civilization. **For more information about "Creating Canada: From the Royal Proclamation of 1763 to Modern Treaties" go to www.landclaimscoalition.ca.**